

Message

From: Wetherington, Michele [Wetherington.Michele@epa.gov]
Sent: 9/3/2019 9:25:53 PM
To: Gordon, Lisa Perras [Gordon.Lisa-Perras@epa.gov]; Cooper, Jamal [cooper.jamal@epa.gov]
Subject: RE: First Thing Wednesday.

You can send it right now if you want.

I heavily edited this paragraph, that I find most important for me to defend the AR:

The state justified the revisions as a clarification that does not change the stringency of the narrative criteria. However, EPA lacks information to rely on that statement. “Unreasonably” in an adjective qualifying “interfere” and should be given meaning in statutory interpretation. Georgia’s narrative criteria revisions may add another layer of subjective review. This second layer of review may require a finding of interference and then a determination of reasonableness, which may change the level of protection for the water body. EPA lacks information on the extent of interference that may be considered reasonable. Georgia’s narrative criteria revisions are located in the state’s WQS as General Criteria that are applicable to all waters of the state. Therefore, General Criteria may affect water quality and the attainment of the designated uses of the state, for example Drinking Water Supplies, Recreation, and Fishing. Because the revisions may increase the allowable interference and any boundaries on such interference are unknown, the revisions to the WQS are considered substantive.

From: Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>
Sent: Tuesday, September 3, 2019 5:23 PM
To: Wetherington, Michele <Wetherington.Michele@epa.gov>; Cooper, Jamal <cooper.jamal@epa.gov>
Subject: First Thing Wednesday.

Jamal, Michele,

Once Michele makes final changes, how about Jamal sends the letter and DD to Tony/Stacey first thing in the morning. I think everyone has mostly gone for the day and I’m about to head out, too.

Lisa Perras Gordon

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